

Application S/N 10/631,370
Amendment dated: January 24, 2007
Response to Office Action dated: August 24, 2006

CE11296JEM – Kreitzer

REMARKS/ARGUMENTS

Claims 1-7, 9-12 and 14-21 remain pending in the application, as claims 8 and 13 were previously canceled without prejudice. In the Office Action, claims 1, 10, 14, 18 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,390,252 to Suzuki (Suzuki) in view of U.S. Patent No. 5,559,795 to Ahl (Ahl). Claims 2, 3, 9, 11, 12, 15, 19 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Ahl and further in view of Schneier, *Applied Cryptography* (Schneier). Claims 4, 5 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Ahl in view of Schneier and further in view of the article by L-3 Communications. Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Ahl and further in view of the FNBDT Signaling Plan. Finally, claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Ahl and further in view of the FNBDT Signaling Plan and the L-3 Communications article.

Independent claims 1, 11, 14 and 21 have been amended to clarify that the symmetric traffic key is established in a first mode of communication in a first communication network that supports a first communication protocol and that the symmetric traffic key is shared after switching to a second mode of communication in a different communication network that supports a different communication protocol. Support for the amendments can be found in FIG. 4 and paragraph 0007. No new matter has been added.

As previously noted in an earlier response, Suzuki merely contemplates switching between different channels, i.e., frequencies in the same communication

Application S/N 10/631,370
Amendment dated: January 24, 2007
Response to Office Action dated: August 24, 2006

CE11296JEM – Kreitzer

network (see col. 5, lines 38-45), to which the Examiner has agreed (see page 3, lines 4-6 of the Final Office Action of August 24, 2006). Moreover, Applicant submits that Ahl never describes, shows or suggests the concept of sharing a previously established traffic key when two multi-mode devices switch from a first network to a second network where the networks support different communication protocols. In particular, Ahl simply describes a procedure in which a central station in a single TDMA network changes its mode of operation to operate either as a central station for transmitting information to and receiving information from peripheral stations or receiving information from and transmitting information to another central station as a peripheral station (see Abstract). Ahl never mentions anything about switching between communication networks supporting different protocols, as Ahl is limited to use in a single TDMA system (see col. 1, lines 59-61; col. 2, lines 64-66; and col. 3, lines 12-13).

In view of the above, Applicant believes that independent claims 1, 11, 14 and 21 are patentable over the prior art. Applicant also believes that those claims that depend from these independent claims are now patentable, in view of both their dependence from these claims and their independent patentability. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references. Moreover, it must be understood that the claims are not limited to the embodiments disclosed in

Application S/N 10/631,370
Amendment dated: January 24, 2007
Response to Office Action dated: August 24, 2006

CE11296JEM - Kreitzer

the specification and that the reference numerals of the application that are used in the description above are merely intended to provide clarity to Applicant's arguments.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department - MD 1610
8000 W. Sunrise Blvd.
Plantation, FL 33322

Customer Number: 24273

By: 

Larry G. Brown
Attorney of Record
Reg. No.: 45,834

Tel: (954) 723-4295 direct line
Tel: (954) 723-6449 main line
Fax No.: (954) 723-3871